

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

District of Delaware

ZF MERITOR LLC and MERITOR
TRANSMISSION CORPORATION,
Plaintiffs,

SUMMONS IN A CIVIL CASE

V.
EATON CORPORATION,
Defendant.

CASE NUMBER:

06-623

TO: (Name and address of Defendant) EATON CORPORATION
c/o The Corporation Trust Company
Corporation Trust Center
1209 Orange Street
Wilmington, DE 19801

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Charles M. Oberly, III, Esquire
Karen V. Sullivan, Esquire
OBERLY, JENNINGS & RHODUNDA, P.A.
1220 Market Street, Suite 710
P.O. Box 2054
Wilmington, DE 19899

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

PETER T. DALLEO

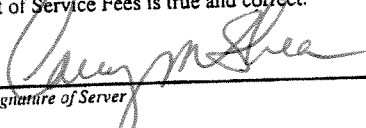
CLERK

(By) DEPUTY CLERK

DATE

10/5/06

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RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE <u>10/5/06</u>	
NAME OF SERVER (PRINT) <u>CARLEY M SHERR</u>	TITLE <u>Process Server</u>	
Check one box below to indicate appropriate method of service		
<input type="checkbox"/> Served personally upon the defendant. Place where served: _____		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____		
<input type="checkbox"/> Returned unexecuted: _____		
<input checked="" type="checkbox"/> Other (specify): <u>PERSONALLY SERVED EATON CORPORATION BY SERVING</u> <u>ITS REGISTERED AGENT, THE CORPORATION TRUST CO., AT</u> <u>1209 ORANGE ST WILM DE 19801 AT 4:25PM. PERSON</u> <u>ACCEPTING SERVICE: SCOTT LASCALE</u>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p>		
Executed on <u>10/5/06</u>	<u></u> Date Signature of Server	
<u>230 N MARKET ST, WILM DE 19801</u> Address of Server		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.